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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,007	02/02/2001	Hsingya Arthur Wang	00939A045100	5469
20350	7590	08/30/2002		EXAMINER
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			ROSE, KIESHA L	
			ART UNIT	PAPER NUMBER
			2822	

DATE MAILED: 08/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/777,007	WANG ET AL. <i>ALL</i>
Period for Reply	Examiner	Art Unit Kiesha L. Rose 2822
	<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.		
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 		
Status		
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>03 July 2002</u> .		
2a) <input type="checkbox"/> This action is FINAL . 2b) <input checked="" type="checkbox"/> This action is non-final.		
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.		
Disposition of Claims		
4) <input checked="" type="checkbox"/> Claim(s) <u>1-13</u> is/are pending in the application.		
4a) Of the above claim(s) <u>1 and 3-5</u> is/are withdrawn from consideration.		
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.		
6) <input checked="" type="checkbox"/> Claim(s) <u>2 and 6-13</u> is/are rejected.		
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.		
8) <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.		
Application Papers		
9) <input type="checkbox"/> The specification is objected to by the Examiner.		
10) <input checked="" type="checkbox"/> The drawing(s) filed on <u>02 February 2001</u> is/are: a) <input type="checkbox"/> accepted or b) <input checked="" type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).		
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.		
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.		
Priority under 35 U.S.C. §§ 119 and 120		
13) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).		
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of: 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.		
14) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.		
15) <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.		
Attachment(s)		
1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)		
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____		
4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____		
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)		
6) <input type="checkbox"/> Other: _____		

DETAILED ACTION

This Office Action is in response to the election filed 3 July 2002.

Election/Restrictions

Claims 1 and 3-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected method of making a semiconductor device, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 9.

Applicant's election without traverse of claims 2 and 6-13 in Paper No. 9 is acknowledged.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Fig. 1, # 20

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing

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correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 12 discloses the "first doped region" extends deeper into the substrate than the "first doped region". It is unclear how the first doped region extends deeper than the first doped region.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2 and 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu (U.S. Patent 5,468,981) in view of Gill (U.S. Patent 5,418,741).

Hsu discloses an EEPROM (Fig. 1) that contains a p-type semiconductor substrate (12), an n-type drain region (14) formed into substrate, an n-type double

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diffused source region (16) comprising a first sub-region (18) of a first dopant and a second sub-region (20) of a second dopant formed in substrate in spaced alignment with drain region with a channel region (30) therebetween, where source region has a more abrupt profile grade relative to the surface than drain region, where source and drain form a pn junction with the substrate, a first gate insulation (22) formed on major surface of substrate and having a first thickness, a floating gate electrode (24) formed on gate insulation and asymmetrically located over channel region and having a portion over both the drain and source regions wherein a greater portion is over the source region, a second gate insulation (28) formed on floating gate and have a second thickness greater than the first thickness and a control gate electrode (26) formed on second gate insulation and overlapping floating gate electrode. Hsu discloses all of the limitations except for word lines and bit lines. Whereas Gill discloses an EEPROM (Fig. 1A) that contains a plurality of memory cells arranged in a matrix of N-rows (word lines) and M-columns (bit lines), a plurality of floating gate transistors all containing a control gate (14), a floating gate (13), a source (12) and a drain (11), word lines (15) connect together the control gates in a common row, bit lines (17) connect the drains of the transistor in common column and means (19) connecting the source regions together. The word and bit lines are formed to connect the control gates of plurality of transistors together and the plurality of drain regions together. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the EEPROM of Hsu by incorporating a bit and word line to connect the plurality of control gates and drain regions together as taught by Gill. In regards to claims 2 and 6-

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13, wherein programming of a cell to a high state is by applying a positive bias to a common source and connecting means of control gate electrode, inject a charge from the source region into floating gate through gate insulation, wherein erasing of a cell is by applying a high voltage to the common source when the control gate is grounded and the drain is floating and applying a first voltage to the control gates and applying a second voltage to the source and grounding the drain, where the second voltage is greater than ground potential, it would have been obvious to one having ordinary skill in the art at the time the invention was made to bias the source, drain and control electrode to different means and for the programming of a cell as a matter of design choice to supply current to the device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiesha L. Rose whose telephone number is 703-605-4212. The examiner can normally be reached on M-F 8:30-6:00 off 1st Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 703-308-4940. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

KR

KLR

August 26, 2002



Stephen D. Meier
Primary Examiner